

MAGISTRATE JUDGE'S MINUTES  
IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA – PHOENIX

**U.S. Magistrate Judge: Deborah M. Fine**

**Date:** January 18, 2022

**USA v. David Allen Harbour**

**Case Number: CR-19-00898-001-PHX-DLR**

**Assistant U.S. Attorney: Kevin M. Rapp, Coleen Schoch**

**Attorney for Defendant: Ashley Adams, Retained**

**Other Appearances (telephonic):**

Jack Edwards for Rhonda Gray

Gerald Krovatin for Phillip Burgess

PTS Officer Gretchen White

Special Agent Brandon Lopez

**Defendant:** ☒ **Present (VTC)** ☐ **Not Present** ☐ **Released** ☒ **Custody** ☐ **Summons** ☐ **Writ**

**PRETRIAL RELEASE REVOCATION HEARING (Continued):**

2:24 p.m. This is the time set for a continuation of the Pretrial Release Revocation Hearing. Defendant consents to appearance via video teleconference (“VTC”) for this hearing. The Court advises that Defendant’s informal, direct request to Corecivic personnel to appear telephonically was denied pursuant to the CARES Act, because appearance by Defendant via VTC is available at this time. Observers over the phone line are required to mute their phones and are prohibited from recording or rebroadcasting any of the proceeding.

Special Agent Troy Cofer is sworn and further examined. Over the objection of the Government, Defense Exhibits 2 and 5 are admitted. Defense Exhibits 41, 42, 43, and 44 are withdrawn and returned to counsel by the Court, although the Government refuses to return its copies because the Defense production of the exhibits was not inadvertent. Government’s Exhibit 5 is admitted. Over the objections of the Government, Defense Exhibit 14 is admitted and the objections will be considered as to weight and evaluation of the exhibit. The Government’s objections to the admission of Defense Exhibits 60, 61, 62, and 63 are sustained, and Defense Exhibits 60, 61, 62, and 63 are not admitted. The Court will permit Defense to subpoena Mr. Dunsworth to telephonically testify at the continuation of the hearing. Over the objections of the Government, Defense Exhibits 54, 59, 65, 66, 67, 68 and 69 are admitted. Defense Exhibit 70 is admitted. Over the objections of the Government, Defense Exhibits 53 and 75 are admitted. 4:40 p.m. Court stands at recess.

4:47 p.m. Court reconvenes. Special Agent Cofer is further examined. Over the objections of Defense, Government’s Exhibits 26 and 27 are admitted. Discussion held regarding continuation of this hearing. Defense counsel’s renewed request to release Defendant pending further proceedings is DENIED for reasons stated on the record.

5:15 p.m. Court stands at recess until **Tuesday, February 1, 2022, at 2:30 p.m.** in Courtroom 304.

**USA v. David Allen Harbour**

**Date:** January 18, 2022

**Case Number:** CR-19-00898-001-PHX-DLR

Page 2 of 2

**Court Reporter** Elva Cruz-Lauer  
**(Hearing also recorded by Courtsmart)**  
**Deputy Clerk** Rebekka Walder

**2 hrs 43 mins**  
**Start: 2:24 PM**  
**Stop: 5:15 PM**